Charlotte Democrat.
CHARLOTTE, N. C.

The President's Message.

We give below a pretty full synopsis of President Cleveland's Message submitted to Congress on Monday last, omitting only the lengthy *argument* on the Tariff question and most of that part about the surplus in the Treasury and its effect on the country. The President begins by saying:

You are confronted at the threshold of your legislative duties with a condition of the national finances which imperatively demands immediate and careful consideration. The amount of money annually exacted through the operation of the present laws from the industries and necessities of the people largely exceeds the sum necessary to meet the expenses of the government. When we consider that the theory of our institutions guarantees to every citizen the full enjoyment of all the fruits of his industry and enterprise with only such deduction as may be his share towards the careful and economical maintenance of the government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. * * *

On the 30th day of June, 1885, the excess of revenues over public expenditures, after complying with the annual requirement of the sinking fund, was $17,859,735.84; during the year ended June 30, 1886, such an excess amounted to $49,405,545.20, and during the year ended June 30, 1887, it reached the sum of $55,567,849.54. The annual contribution to the sinking fund during the three years above specified, amounting in the aggregate to $138,058,320.94 and deducted from the surplus as stated, was made by calling in for that purpose outstanding three per cent bonds of the government. During the six months prior to June 30, 1887, the surplus had grown so large by repeated accumulations that it was feared the withdrawal of this great sum of money needed by the people would so effect the business of the country that the sum of $79,864,100 of such surplus was applied to the payment of the principal and interest of the 3 per cent bonds still outstanding and which were then payable at the option of the government. * * *

After discussing the financial question at length, the President says: I have deemed it my duty to thus bring to the knowledge of my countrymen, as well as to the attention of their representatives charged with the responsibility of legislative relief, the gravity of our financial situation. The failure of the Congress heretofore to provide against the dangers which it was quite evident the very nature of the difficulty must necessarily produce caused a condition of financial stress and apprehension since your last adjournment which taxed to the utmost all the authority and expedients within executive control, and these appear now to be exhausted. If disaster results from the continued inaction of Congress the responsibility must rest where it belongs. Though the situation thus far considered is fraught with danger which should be fully realized, and though it presents features wrong to the people as well as to the country, it is but a result growing out of a perfectly palpable and apparent cause constantly reproducing the same alarming circumstances—a congested national treasury and a depleted monetary condition in the business of the country. It need hardly be stated that while the present situation demands a remedy we can only be saved from a like predicament in the future by the removal of its cause.

As to the Tariff and Internal Revenue we copy the following, and regret, exceedingly, to see the position the President takes about the internal revenue laws:

"Our scheme of taxation by means of which this needless surplus is taken from the people and put into the public treasury, consists of a tariff or duty levied upon importations from abroad and internal revenue taxes levied on the consumption of tobacco, and spirituous and malt liquors.

It must be conceded that none of the things subjected to internal revenue tax are strictly speaking necessaries. There appears to be no just complaint of this taxation by the consumers of these articles and there seems to be nothing so well able to bear the burden without hardship to any portion of the people. But our present tariff laws, the vicious, inequitable and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws as their primary and plain effect raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them on a demand for imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, most of our people who never use and never saw any of the foreign products purchase and use things of the same kind made in this country and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public treasury, but the great majority of our citizens who buy domestic articles of the same class pay a sum at least approximately equal to this duty to the home manufacturers. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as the source of the government's income; and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufactures. It may be called protection or by any other name but relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests. But this should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderate returns. As the volume and diversity of our national activities increase, new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them. So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged that they can hardly complain of the suspicion entertained, to a certain extent, that there exists an organized combination all along the line to maintain their advantages. * * *

The President then goes on to discuss the Tariff question with its bearings on American labor—in fact most of the message is devoted to Tariff matters. He concludes by saying: "The difficulty attending a wise and fair revision of our tariff law is not underestimated. It will require on the part of the Congress great labor and care and especially a broad and national contemplation of the subject and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country. Under our present laws more than four thousand articles are subject to duty. Many of these do not in any way compete with our own manufactures and many are hardly worth attention as subjects of revenue. A considerable reduction can be made in the aggregate by adding them to the free list. The taxation of luxuries presents no feature of hardship, but the necessaries of life, used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened. * * *

The question of free trade is absolutely irrelevant and the persisitant claim made in certain quarters that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders is mischievous and far removed from any consideration for the public good. The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the government and to restore to the business of the country the money which we hold in the treasury through the preservation of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need and with benefit to them and all our people by cheapening their means of subsistence and increasing the measure of their comforts. * * *

The President rather apologizes for occupying the most of his Message with financial and tariff matters, and says: "I am so much impressed with the paramount importance of the subject to which this communication has thus far been devoted that I shall forego the addition of any other topic and only urge upon your immediate consideration the "state of the Union" as shown in the present condition of our treasury and our general financial situation, upon which every element of our safety and prosperity depends.

The reports of the heads of the departments which will be submitted contain full and explicit information touching the transactions of the business intrusted to them and such recomendations relating to legislation in the public interest as they deem advisable * * *

There are other subjects not embraced in the departmental reports, demanding legislative consideration and which I should be glad to submit. Some of them, however, have been earnestly presented in previous messages, and as to them I beg leave to repeat prior recomendations.

FOR THE CHARLOTTE DEMOCRAT.

Society for the Study of N. C. History.

CHAPEL HILL, Dec. 5, 1887.

The Society which has been in process of organization here for the study of North Carolina History had its second meeting on Thursday night last.

A paper, read by Mr S. B. Weeks, gave a complete list of the Duels fought in North Carolina, with the circumstances and names of the actors. This is a matter of interest, especially as detailed information on this line is not within the reach of many. Twenty-two encounters were cited, in which eleven men were killed. This extended over a period (speaking broadly) from the time of the war of the Revolution to that of the war between the States.

Dr. Battle gave a sketch of the administration just preceding that of Gov. Gabriel Johnston in colonial North Carolina which introduced Prof. Winston's theme, namely: the administration of Gov. Johnston.

Prof. Winston gave a graphic representation of the relation between the people and their Governor, who was then appointed under the Crown.

The Legislature was elected by the people but the Governor had the power to discharge the Assembly and call a new election when he saw fit. The Assembly then consisted of the House of Burgesses, which was the lower body, and a Council, which was the higher house.

All of the actions of the Assembly, especially in protecting the people's rights, showed them to be manly, honest, and possessed of a high order of common sense and judgment.

Gov. Johnston himself was a man of strong mind, but was more fond, apparently, of discharging his duty toward the King than toward the people of the province. H.

The Mecklenburg Presbytery.

Mecklenburg Presbytery met in the Second Presbyterian Church in Charlotte on Monday last, and was called to order by the Moderator, Rev. J. M. McClean. The following ministers were present: J. M. McLean, J. Y. Fair, W. O. Cochrane, C. W. Robinson, R. A. Miller, G. D. Parks, E. W. Davis, W. E. McIlwaine, R. B. Morrow, R. A. Fair, W. R. Atkinson and P. R. Law. And the following Ruling Elders were present: Dr. J. T. Kell, C. H. Wolfe, W. A. Jamison, N. Gibbon, D. W. Oates and J. E. Brown.

The pastoral relations between Rev. Mr Robinson and Sugar Creek Church were dissolved, and he was permitted to labor within the bounds of Monroe Church.

The pastoral relations between Rev. J. L. McLees and Providence Church were dissolved, and Mr McLees was given permission to labor as a city evangelist in Charlotte in connection with the Second Presbyterian Church.

Rev. John R. McAlpine was received into the Presbytery on a certificate from Bethel Presbytery and granted permission to labor within the bounds of the Presbytery.

Political Complexion of the U. S. Senate.

The value of some Senators.

When the United States Senate convenes in December the Republicans will find themselves still in the majority, but by such an exceedingly small margin that they will be compelled to move very slowly on political questions. They will be able to retain control of the organization, but merely by a scratch. The roll of the Senate, as now finally made up, shows that there are thirty-eight Republican Senators, thirty-seven Democratic ones, and one Independent. This latter gentleman, who will hold the balance of power and be able, by his single vote, to checkmate any plan of the Republicans, is the erratic H. H. Riddleberger of Virginia. He is ostensibly a Republican, and at the time of his election to the Senate was Mahone's candidate for Sergeant-at-Arms of that body. The Senate happened to be evenly divided at that time, however, and David Davis, as President pro tem, had the privilege of casting the deciding vote. The Democrats had control of the organization, including the committees and the officers. Davis refused to vote with the Republicans, or in fact to vote at all. The Republicans were, therefore, for two years unable to overthrow the organization. Mahone in the meantime secured the election of his protege, Riddleberger, as his own colleague in the Senate. To-day Mahone is in private life, and Riddleberger, who is at present his bitter personal enemy, has the whip hand of the Senate, as David Davis had it in 1879.

The Republicans are very solicitous as to the course Riddleberger will pursue. He can do no more than tie the Senate, it is true, but even that result might be embarrassing. Should he vote with the Republicans they would have two majority; should he vote with the Democrats the Senate would be a tie, and should he not vote at all, the Republicans would still have a majority of one. All during last session Riddleberger refused to go into caucus, was entirely independent in debate, and on several occasions made almost direct personal attacks on some of the leading Republican Senators, especially the then presiding officer, John Sherman, whom he accused of refusing to recognize him, and of various other petty offences.

The Republicans have already displayed their anxiety to placate the Virginian. About the time Congress adjourned a prominent office of the Senate became vacant. There were numerous applicants for it. The man backed by Riddleberger secured the prize, and soon after died. Riddleberger was promptly on hand with a second candidate, who was at once appointed. It is now said by the knowing ones that if Riddleberger wants anything further of the Republicans he has only to ask for it. Since his falling out with Mahone it has been whispered that Riddleberger has made overtures to the Democrats to take him again into the fold, but his old colleagues, badly as they need votes, have refused to listen to him.

Fifteen new Senators were sworn in on December 5th. Seven are Republicans and eight Democrats. The new men are Chandler of New Hampshire, Quay of Pennsylvania, Stockbridge of Michigan, Hiscock of New York, Steward of Nevada, Paddock of Nebraska, Davis of Minnesota, Pasco of Florida, Faulkner of West Virginia, Reagan of Texas, Bate of Tennessee, Turpie of Indiana, Blodgett of New Jersey, Daniel of Virginia, and Hearst of California. Three of these men have been United States Senators once before. Paddock held a seat from 1875 to 1881, and was succeeded by Chas. H. Van Wyck, "Crazy Horse," as he has often been irreverently called. Paddock, after leaving the Senate, became a member of the Utah commission. He kept a sharp eye on political matters in Nebraska while with the Mormons, and just before the Senatorial battle opened he resigned his office and went home. He engineered a still hunt for the Senatorship, and when it became apparent that Republicans were bound to secure Van Wyck's defeat Paddock appeared as a candidate. After a long and bitter fight he was elected over the man by whom he was defeated six years before.

Stewart, of Nevada, was in the Senate more than a dozen years ago. He was then one of the most prominent of the "bonanza kings" of the Pacific slope. He and his wife entertained lavishly, and erected the first really fine house in the northwestern part of Washington, now the most fashionable locality in the city. The place was and is yet know as "Stewart Castle," and is at present occupied by the Chinese embassy. Stewart lost all of his wealth about the time of the panic in 1873, and at the end of his Senatorial term went West again to recuperate his fortunes. Having succeeded, he comes to the Senate a second time as the successor of Uncle Jimmy Fair.

Hearst, of California, was hardly out of the Senate before he was in again. He was, in 1886, appointed by the Governor to fill the vacancy caused by the death of Gen. Miller. When the Republican Legislature met they sent George Williams to fill out Miller's term. This expired on March 4 last, and Hearst was then elected for a full term.

Three of the new Senators were members of the lower House in the last Congress. These are: Hiscock of New York, Reagan of Texas, and Daniel of Virginia, the latter having been elected two years ago to succeed Mahone.

The United States Senators from the Southern States are a very different class of men from their Northern colleagues, not only in the matter of their political conduct, but in their personal appearance and habits and manner of living. Much of this difference is accounted for by the fact that, as a general thing, the Southern Senators are poor in purse, though proud in heart. Out of eighteen Southern Senators but five are owners of a horse and carriage, and two of these possess animals that would hardly take a premium at a country fair. The five who drive their own teams are Eustis, Gibson, Kenna, Vest and Vance. Eustis, Gibson and Vance have fairly good turnouts, but those of Kenna and Vest are mere country hacks. Kenna has a high, old-fashioned closed carriage, drawn by a pair of ill-kept bays, and the driver, who does duty as hostler and gardener, and in other capacities, is hardly up to the standard. Vest has an open top phæton, pulled about by a lean, frowzy brown horse that goes with his head hanging in a dejected way, and a look that says he is ready to stop at the slightest command.

But six of these Southern Senators own homes in Washington. Call, Cockrell and Vest have recently erected small, modest homes, and Gibson, Eustis and Vance have more pretentious ones. The two former gentlemen are wealthy and the latter has a wealthy wife, which is much the same thing. Eustis and Walthall of Mississippi, are the only Southern Senators who live in anything like luxurious or even comfortable style. They are both men who enjoy good living and can afford to indulge themselves. Eustis is a club man and somewhat of a bon vivant. He is cultured, educated and a lover of good company. He is a relative of W. W. Corcoran, the millionaire philanthropist of Washington, and his face is well known in club circles and in general society. Walthall has many of the characteristics of Eustis, and when in Washington generally lives at one of the best of the up-town hotels. Jones and Berry of Arkansas, Brown and Colquitt of Georgia, Harris of Tennessee, Hampton of South Carolina, Coke of Texas, George of Mississippi, and Morgan and Pugh of Alabama, live in modest lodgings or at down town hotels, and rarely, if ever, appear in society.

Many of these men live as they do because compelled to, but this is not the case of Senator Joe Brown of Georgia. He is the wealthiest man in the South in public life, and one of the richest in the United States Senate. Yet he has plain rooms in a down-town hotel, and when he desires a carriage, which is seldom indeed, he hires it at a stable around the corner.

Another peculiarity of many of the Southern Senators is their strong indisposition to remain at their homes after having once lived in Washington. Five of these Senators—Call of Florida, Pugh and Morgan of Alabama, Cockrell of Missouri, and Jones of Arkansas—have scarcely been absent from the city a day since Congress adjourned. Some of them make up all sorts of excuses for remaining while others simply stay because they want to.

Let us be Consistent.

From the Raleigh Chronicle.

The chronicle endorsed, heartily and without reservation, the resolution of the Democratic State Executive Committee declaring for a repeal of the Internal Revenue laws. We based our endorsement on the fact that the committee was but reiterating the demand made again and again by the great Democratic party in convention assembled. The committee started on no new line. It raised no new issue. It committed the party to no novel scheme. Blatant and false political enemies, and unwise and imprudent political friends had sought to convey the impression that it is in power, is not so much in favor of the repeal of these laws as formerly. For that reason, and to urge our Congressmen to renewed diligence in their efforts of repeal, the committee re-stated and emphasized the position of the party on the question. It was wise to make the declaration—and it was a wise declaration.

Those who have been severest and most uncharitable in their criticisms are open to the same criticism. For example: The papers that have discussed and dissented from the attitude of the committee daily call upon all their readers to remain loyal in support of a low tariff, and to fight for the present county government system. What right have they to do this? Can one editor, or a dozen commit the party to a low tariff? or to any system of local government? Not at all, but in national politics the Democratic conventions have uniformly declared for a low tariff, and in State politics the declaration in favor of a system of county government that will protect the East has been uniform. These editors know what the attitude of the party is on these questions, and they have the right, and it is their duty as well, to emphasize the importance of these two Democratic principles. The newspaper is not "usurping power," or "arrogating to itself the right to speak for thousands of Democrats." It is merely giving prominence to accepted Democratic measures.

The Democratic State Executive Committees does the same thing. No man is ignorant enough not to know that the Democratic party in North Carolina is committed to a repeal of the Internal Revenue laws. The fact that the committee calls attention to this accepted policy of the party, and urges Democratic representatives to use all possible efforts to fulfil the pledges repeatedly made, is but doing what political editors do every day. The committee knows the policy of the Democratic party, and it seeks to carry it into effect. They would not be wise committeemen if they did less.

Instead of the committee's trying to "usurp power" and "dictate to the great Democratic party," it appears to us that some few of our contemporaries are open to that charge. The committee stands by the declarations of the party; the dissenting editors are against these declarations. Which is trying to be "arrogant," and, to use the idiom of an old farmer, "usurperious?" Which? Brethren: Let us be consistent.

N. C. State Bonds.

Twelve thousand dollars of N. C. State four per cent bonds were sold in this city last week at 95. There is a rumor afloat to the effect that both the ready sale of State bonds and their market value are adversely affected on account of the recent decision in the State drummers' license case, which, if not reversed by the Supreme Court of the United States, will cut off a revenue to the State of something over $80,000, and in connection with the rumor, it is said, there is a statement to the effect that if this revenue is cut off the State cannot pay the interest on the bonds. It is not known from whence such a false and thoroughly unreasonable report sprung. It was doubtless originated by some speculator who was anxious to make a haul and who undertook to do it without regard to fair dealing or the credit of the State. The interest on the bonds will be promptly paid on presentation of coupons at proper places on and after January first regardless of whatever shortage may arise from the cessation of the drummers' license tax, and will continue to be paid promptly in future. The increase in the tax valuation of property in this State this year over last year will be about $7,000,000, and if not another cent be realized from the sale of drummers' licenses the State will scarcely feel the loss; and it is by no means certain that the drummers' tax revenue will be lost. The Chief Justice of the Supreme Court with two other judges are of the opinion that a State has clearly a constitutional right to tax drummers. The same opinion is held by some of the best and strongest lawyers in this city and State, and one or two features in the North Carolina law not existing in other laws of a similar character, indicate that the State has the advantage in the drummers' license case now pending. However the case may go, the interest on the State bonds will be paid whenever it is due and of this fact bondholders and bond purchasers may be assured.—*Raleigh Observer.*

Percussion arms were used in the United States army in 1830.

Digest of N. C. Supreme Court Decisions.

Fall Term, 1887.

[Reported for the Raleigh Observer.]

Hussey vs. The N. S. Railroad Co., and King.—Held, Corporations are liable civiliter for torts committed by their servants or agents, precisely as natural persons are, and it is so liable for acts of its agents done by its authority, express or implied, though there be neither a written appointment under seal nor a vote of the corporation constituting the agency or authorizing the act. The corporation and its servants by whose act the injury was done may be joined in an action of tort.

The allegations of the complaint in this case are sufficiently plain to make the corporation understand the nature of the tort with which it is charged—and the demurrer is overruled.

Stout vs. McNeill.—Held, It is improper in suits for injunctive relief to make the sheriff a party. Notice of the order of injunction is sufficient as to officers of the court.

While one of several partners cannot as a right have his personal property exemption out of the partnership effects, yet it may be done with the consent of all the partners; but this assent must be positive and voluntary and must remain at least until the allotment is actually made.

State vs. Morgan.—To support an indictment under par. 6, sec. 985 of the Code as amended chap. 66, acts 1885, it must be charged that the defendant did "wantonly and wilfully set fire, &c. A charge that the defendant did "wilfully, feloniously, maliciously and wantonly" set fire, &c., will not describe the offence. "Wantonly" is a technical word in describing crimes. Where the statute uses the word "shop," and the indictment charges that the defendant "set fire to a certain house used as a shop and store," the description is sufficient.

State vs. Tytues.—Larceny is both a felony and an infamous crime, and an indictment under sections 996 and 997 charging "the intent to commit the crime of larceny" is sufficient. It has often been said, however, that it is better to describe statutory offences in the words of the statute.

There may be united in one count crimes of a cognate character.

Where sufficient matter appears to enable the court to proceed to judgment, objections to form that would support a motion to quash are too late after verdict.

Grissom vs. Pickett.—Held, The liens given by sections 1781 and 1782 of the Code are confined to debts contracted for work done or materials furnished and the lien is on the property on which the labor expended or to which the materials have been contributed. Therefore where two persons agree to farm on certain conditions and after the payment of the debts there was to be an equal division of the crops, and one has a cause of action against the other for a breach of the contract, no lien arises under those sections.

Irwin vs. Clark.—An objection to an answer that it is not sufficiently specified in regard to the contents of destroyed papers comes too late, when the case is called for trial and there have been continuances after it was filed.

Where the recitals in a deed and decretal orders found on the docket appear to relate to a single equitable suit they may be admitted as fragmentary facts thereof.

When a devise is made to those children living at the death of their mother, a contingent and not a vested interest is created which cannot be sold by a court of equity.

But where the gift is general, not being confined to survivors when to take effect, it is otherwise; and, by representation, those who may afterwards come into being are controlled by the action of the court upon those whose interests are vested but whose possession is in the future. Dodd's case, Phillips Eq., 97 approved.

Tucker vs. Bellamy.—While slavery prevailed in this State the laws regulating descent of estates of inheritance did not apply to slaves who could neither inherit nor own property.

The statute enabling them to inherit, sec. 1,281 of the Code, does not extend beyond parents and children and the estates of such parents; and where persons were born slaves; there is no statute enabling them to inherit from their father who died in 1860, when all were slaves, or from an aunt who has since died.

State vs. Morgan.—To support an indictment under par. 6, sec. 985 of the Code as amended chap. 66, acts 1885, it must be charged that the defendant did "wantonly and wilfully set fire, &c. A charge that the defendant did "wilfully, feloniously, maliciously and wickedly" set fire, &c., will not describe the offence. "Wantonly" is a technical word in describing crimes. Where the statute uses the word "shop," and the indictment charges that the defendant "set fire to a certain house used as a shop and store," the description is sufficient.

Baker vs. Leggett.—Allison Ryan owned a tract of land in Robeson county on which he resided, of less value than $500; mortgaged the same to plaintiff on December 26th, 1877, and removed to Georgia. On the 17th of January following defendant began an action of debt against him and sued out an attachment, which was levied on the land. There was judgment and sale and defendant bought the land on the 21st of February. On the 23d January the mortgage was registered and plaintiff claims, under his mortgage, alleging that Ryan's homestead was exempt from sale under execution.

Held, That the provisions of the constitution and of the laws setting apart a homestead exemption apply only to residents of this State.

That although Regan was entitled to his homestead while a resident, he lost the right on relinquishing his citizenship and moving to another State.

That the levy and sale were valid.

That is plaintiff had registered his mortgage before the levy of the attachment he would have had priority, but his failure to record his mortgage until after the levy opened the door for the lien of the levy, and the levy and sale were effectual.

Simonton vs. Cornelius.—The will to be construed reads: "I give and bequeath to my daughter Julia" certain lands, negroes and property, "all of which land and negroes and other property to remain in the possession of the said Julia and her husband during their natural lives and then to descend to the children of the said Julia equally."

Held, That the proper construction of the will gives the estate to the said Julia and her husband, with a direct remainder after the death of the surviver to her children. The husband and wife took by entireties and the right of survivorship prevails. During his life the remainderman is premature in seeking possession. The fruits occurring during the joint lives would belong to the husband when by separation from the land they became personal property, as other personal goods reduced into possession became his as the law then was.

Austin vs. Pickler.—To recover on a note that is in the nature of a penal bond with conditions of avoidance, breaches must be shown by those seeking to enforce it. A note intended to secure a support of the obligee during his life and to be void at his death, if that condition is complied with, is of that character. And in order to charge the administrator with a failure to collect, the party insisting on its being enforced should show every fact necessary therefor.

LATEST DECISIONS.

Opinions were filed in the following cases on Monday last:

Roberts vs Calvert; plaintiff's appeal, error; and in defendant's appeal, no error.

State vs Divine; error; verdict set aside and cause remanded. But the Court say that the legislation in question has not the sanction of the Constitution and cannot be upheld.

Eigenbrun vs Smith; no error.

State vs King; no error.

State vs Patterson, two cases (liquor selling); error.

State vs Patterson and Kennedy; no error.

Williams vs McNair; plaintiff's appeal, no error; defendant's appeal, error.

Caudle vs Fallen; no error.

Rainey vs Rainey; no error.

Breeden vs McLaurin; no error.

Hutchins vs Hodges; no error.

Arrival and Departure of Trains at Charlotte.

RICHMOND & DANVILLE AND ATLANTA & CHARLOTTE AIR LINE.

No. 50—Arrives at Charlotte from Richmond at 2:15 a. m. Leaves for Atlanta at 2:25 a m

51—Arrives at Charlotte from Atlanta at 5.05 a. m. Leaves for Richmond at 5.15 a. m.

No. 52—Arrives at Charlotte from Richmond at 12:35 p. m. Leaves for Atlanta at 1:00 p. m.

No. 53—Arrives at Charlotte from Atlanta at 6:25 p. m. Leaves for Richmond at 6:45 p. m.

CHARLOTTE, COLUMBIA & AUGUSTA.

Arrives from Columbia at 6:10 p. m.
Leaves for Columbia at 1:00 p. m.

A., T. & O. Division.

Arrives from Statesville at 10:45 a. m.
Leaves for Statesville at 6:35 p. m.

CAROLINA CENTRAL.

Leaves Wilmington at 7:25 a m; arrives at Charlotte at 4:20 p. m.
Leaves Charlotte at 8:45 p m; arrives at Wilmington at 8:00 a. m.

Shelby Division of Carolina Central.

Leaves Charlotte for Rutherfordton at 4:33 p. m.
Arrives at Rutherfordton at 9.10 p. m.

Leave Rutherfordton at 7.15 a. m.
Arrive at Charlotte at 11.50 a. m.

RALEIGH & AUGUSTA AIR-LINE R. R.

Passenger Train Leaves Hamlet 2:45 a m, arrives at Raleigh 9:00 a m.
Leaves Raleigh at 7:00 p m, arrives at Hamlet 1:35 a m.

WESTERN N. C. RAILROAD SCHEDULE.

Passenger train leaves Salisbury 11.30 A. M., arrives at Asheville at 5 48 P. M., and at Paint Rock at 8.30 p. m.

Leaves Paint Rock at .0.55 a. m., and Asheville at 1.10 p. m, and arrives at Salisbury at 7 20 p. m.

CAPE FEAR & YADKIN VALLEY ROAD.

Leaves Greensboro 9:50 a. m.
Leaves Fayettesville 3.30 p.m; arrive at Bennettsville, S. C., 6:45, p. m.
Leaves Bennettsville, S. C., 10:10 a. m; Leaves Fayetteville 2:00 p. m., arrive at Greensboro 7:25 p. m.

Comparative Cotton Statement.

The following is the comparative cotton statement for the week ending Nov. 2d:

	1887.	1886.
Net receipts at all U. S. ports,	249,118	274,999
Total receipts to date,	3,135,435	3,037,427
Exports for the week,	169,861	178,246
Total exports to date,	1,873,433	1,455,286
Stock at all U. S. ports,	887,808	999,219
Stock at all interior towns,	251,143	220,013
Stock in Liverpool,	571,000	506,000
Stock of American afloat for Great Britain,	231,000	239,000

Total Receipts at all American Ports since Sept. 1st, 1887.

The following are the total net receipts of cotton at all United States sea-ports since September 1st, 1887: Galveston 461,937 bales, New Orleans 895,535, Mobile 117,378, Savannah 592,123, Charleston 279,947, Wilmington 127,212, Norfolk 276,151, Baltimore 6,238, New York 7,355, Boston 30,705, Newport News 42,955, Philadelphia 8,061, West Point 234,634, Brunswick 35,477, Port Royal 8,936, Pensacola 11,051. Total 3,135,435.

Total Visible Supply of Cotton.

NEW YORK, Dec. 3.—The total visible supply of cotton for the world is 2,833,458 bales, of which 2,376,258 are American, against 2,697,157 and 2,297,457 respectively last year; receipts from all interior towns, 192,282; receipts from plantations, 292,180. Crop in sight 3,846,273.